

1 UNITED STATES DISTRICT COURT  
2 DISTRICT OF NEVADA

3 \* \* \*

4 STATE OF NEVADA; JUSTICE  
5 COURT, HENDERSON TOWNSHIP;  
6 and K BARRIE,

7 Plaintiffs,

8 v.

9 ROBERT AMBROSE EDWARDS,

10 Defendant.

Case No. 2:16-CV-00744-APG-VCF

**ORDER REMANDING CASE**

11 Defendant Robert Ambrose Edwards filed a removal petition seeking to remove a state  
12 court criminal proceeding against him. ECF No. 1. Edwards contends removal is proper based on  
13 federal question jurisdiction. *Id.* He asserts the federal question at issue here is the Fair Debt  
14 Collection Practices Act ("FDCPA"), 15 U.S.C. § 1692k(d). That statute provides:

15 An action to enforce any liability created by this subchapter may be brought in any  
16 appropriate United States district court without regard to the amount in  
17 controversy, or in any other court of competent jurisdiction, within one year from  
the date on which the violation occurs.

18 However, this is not an action to enforce liability created by the FDCPA. Rather, it is a criminal  
19 prosecution based on Ambrose allegedly writing a proposal for services without a contractor's  
20 license. ECF No. 1 at 19, 21. Criminal matters cannot be removed from state court to federal  
21 court. Removal therefore was improper and I remand this case to the court from which it was  
22 removed.

23 IT IS THEREFORE ORDERED that the case is remanded to the state court from which it  
24 was removed for all further proceedings. The Clerk of the Court is instructed to close this case.

25 DATED this 3<sup>rd</sup> day of May, 2016.

26   
27 ANDREW P. GORDON  
28 UNITED STATES DISTRICT JUDGE